

UNITED STATES DISCRICT COURT
DISTRICT OF MASSACHUSETTS

ELEANOR J. KERRIGAN and)
SEAN J. KERRIGAN, A minor child by)
his parent and next best friend,)
Eleanor J. Kerrigan)
Plaintiffs)

C.A. No.:04-cv-12133-RCL

v.)

JOHN W. CURRAN, DIEBOLD, INC. and)
CRAWFORD & COMPANY)
Defendants)

**DEFENDANT CRAWFORD & COMPANY'S MOTION TO SEVER CLAIMS AND TO STAY
DISCOVERY**

Pursuant to Fed. R. Civ. P. 21 and 42, the defendant, Crawford & Company, moves to sever for purposes of discovery and trial plaintiff's G.L. c. 93A/176D claim asserted against it from the tort claims asserted against the codefendants, John Curran and Diebold, Inc.

As grounds therefore Crawford & Company states that the present action purports to state a claim under G.L. c. 93A and/or G.L. c. 176D against an insurer as a result of its alleged failure to settle the action against the co-defendants. It would be prejudicial to both Crawford & Company and the insured for which it is handling the insurance claim to have discovery proceed in the present action prior to the completion of the action brought against the co-defendants.

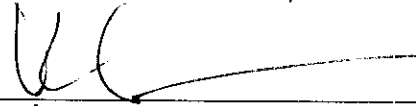
In further support of this motion, Crawford & Company attaches its memorandum of law.

REQUEST FOR HEARING

Defendant Crawford & Company requests a hearing on this motion.

Date: 12/6/07

THE DEFENDANT,
CRAWFORD & COMPANY,
BY ITS ATTORNEYS,



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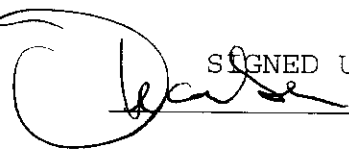
CERTIFICATE OF SERVICE

Pursuant to Fed. L. R. Civ. P. 5.2, I, Keith L. Sachs, do hereby certify that a copy of the foregoing documents have been served first-class postage prepaid on all parties or their representatives in this action as listed below:

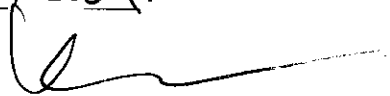
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SIGNED UNDER THE PENALTIES OF PERJURY THIS 6th DAY OF



2007.



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